



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

---

*271 Cadman Plaza East  
Brooklyn, New York 11201*

March 9, 2021

**FILED UNDER SEAL**

By E-mail and ECF

The Honorable Nicholas G. Garaufis  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Chierchio, et al.  
Criminal Docket No. 20-306 (NGG)

Dear Judge Garaufis:

The government respectfully submits this letter at the direction of Your Honor's courtroom deputy to enclose an executed copy of a cooperation agreement pertaining to defendant Francis Smookler in the above-captioned case. Given the nature of this agreement, the government respectfully requests that this letter and the enclosed agreement be filed under seal. See, e.g., United States v. Amodeo, 44 F.3d 141, 147 (2d Cir. 1995) (need to protect the integrity of an ongoing investigation, including the safety of witnesses and law enforcement personnel, may be compelling reason justifying

sealing). Under these circumstances, the government's interest in protecting the defendant's safety outweigh the public's qualified right to access.

Respectfully submitted,

SETH D. DuCHARME  
Acting United States Attorney

By:                     /s/                      
Lindsay K. Gerdes  
Andrey Spektor  
Assistant U.S. Attorneys  
(718) 254-6155/6475

Encl.

cc: Kevin Keating, Esq. (by email)